



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

News Media Information 202 / 418-0500
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October 9, 2002

**COMMENTS INVITED ON SPRINT COMMUNICATIONS COMPANY
L.P. APPLICATION TO DISCONTINUE DOMESTIC
TELECOMMUNICATIONS SERVICES**

Comp. Pol. File No. 608

Comments Due: October 23, 2002

Section 214 Application

Applicant: Sprint Communications Company L.P.

On **October 3, 2002**, **Sprint Communications Company L.P.**, (Sprint or Applicant) located at **6360 Sprint Parkway, Overland Park, Kansas**, filed an application with the Federal Communications Commission (FCC or Commission), requesting authority under section 214(a) of the Communications Act of 1934, as amended,¹ to discontinue Sprint Business DSL, a domestic telecommunications service Sprint characterizes as a DSL-based high-speed, always-on Internet access service offered to small businesses in various cities in the United States.²

Sprint first seeks retroactive approval for its prior discontinuance of Business DSL service to certain customers. Sprint states that it notified approximately 260 small business customers of its intent to discontinue service by a letter dated July 18, 2002. Sprint acknowledges that this letter did not conform to the requirements set forth in section 63.71(5)(i) of the Commission's rules. Sprint subsequently discontinued service to these

¹ 47 U.S.C. § 214(a). *See also* 47 C.F.R. § 63.71,

² Sprint is discontinuing Sprint Business DSL in Atlanta Georgia; Chicago, Illinois; Cincinnati and Cleveland, Ohio; Dallas and Houston, Texas; Denver, Colorado; Kansas City, Kansas; Kansas City, Missouri; Los Angeles, San Francisco and Sacramento, California; Miami and Tampa; Florida; Minneapolis, Minnesota; New Orleans, Louisiana; New York, New York; Newark, New Jersey; Phoenix, Arizona; Portland, Oregon; Seattle, Washington; and Washington, D.C.

customers on or about September 16, 2002. On October 8, 2002, in conjunction with this application, Sprint mailed a letter conforming to section 63.71(5)(i) to these customers.³

Sprint also states in its application that it intends to discontinue service to two other sets of customers. Sprint states that it intends to discontinue service to approximately 247 customers in several states on or about October 31, 2002. On September 20, 2002 these customers were sent a letter notifying them (in a manner that conforms with section 63.71) of Sprint's intent to discontinue service. Sprint further states that it also intends to discontinue service to approximately 1,043 other customers in several states on or about November 26. These customers were sent a similar letter dated October 4, 2002 notifying them of Sprint's intent to discontinue service. Copies of the notification letters were attached to Sprint's application. This Public Notice addresses only those customers to which Sprint proposes to discontinue service on October 31, 2002 and November 26, 2002.

In accordance with section 63.71(c), the application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this notice, unless the Commission has notified Applicant that the grant will not be automatically effective.⁴ Thus, notwithstanding Sprint's stated intent to discontinue service to certain customers on October 31, 2002, Sprint may not lawfully discontinue service to any of the customers affected by this notice before November 8, 2002. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.⁵ Pursuant to sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments on or before **October 23, 2002**. Such comments should refer to **Comp. Pol. File No. 608**.⁶ Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. The original and four (4) copies of the comments should be sent to the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Room 6-A207, Washington, DC 20554, Attention: Carmell Weathers. In addition, Comments should be served upon Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: John Adams.

³ According to Sprint the application does not cover customers subscribing to Sprint's 8 Mbps Business DSL service who were offered similar service from Sprint *e.g.*, Sprint's 1.5 Mbps offering. According to Sprint, no Commission precedent requires a carrier to file discontinuance each and every time it decides to eliminate a particular offering while continuing to offer reasonable substitutes for the eliminated product.

⁴ 47 C.F.R. § 63.7(c).

⁵ See generally 47 C.F.R. §§ 1.1200 - 1.1216.

⁶ 47 C.F.R. §§ 1.415, 1.419.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail at qualexint@aol.com.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), cweather@fcc.gov, or John Adams (202) 418-0394 (voice), jkadams@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0394. For further information on procedures regarding Section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud

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